



2007 SENATE BILL 306

November 2, 2007 – Introduced by Senators KAPANKE, VINEHOUT, LAZICH, OLSEN and ROESSLER, cosponsored by Representatives GUNDRUM, MUSSER, BERCEAU, HAHN, SHILLING, TOWNSEND, A. OTT, LEMAHIEU and JESKEWITZ. Referred to Committee on Judiciary and Corrections.

- 1 **AN ACT** *to repeal* 29.341 and 346.74 (5) (e); and *to create* 940.245 of the statutes;
2 **relating to:** duties upon causing an injury, and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, a person who accidentally injures another person while hunting with a firearm or a bow has a duty to give his or her name to the injured person, render assistance to the person, obtain immediate medical care for the person, and report the incident to a local law enforcement agency. A person who fails to comply with these requirements is subject to a fine of up to \$5,000 or imprisonment for up to one year if the person intentionally failed to comply, or for up to nine months if the person negligently failed to comply, or both.

Under this bill, any person who knows that he or she has injured another with a dangerous weapon is required to give his or her name to the injured person, render assistance to the person, obtain immediate medical care for the person, and report the incident to a local law enforcement agency. A person who fails to do so is guilty of: 1) a Class A misdemeanor if the violation involved injury to a person but the person did not suffer great bodily harm; 2) a Class E felony if the violation involved injury to a person and the person suffered great bodily harm; or 3) a Class D felony if the violation involved death to a person. The bill also eliminates a provision in the statutes that leaving the scene of a motor vehicle accident is a felony if the accident involved injury, but not great bodily harm, to another person.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

